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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,434	03/02/2000	JAHANGIR S. RASTEGAR	13285	4946

7590 07/01/2003

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EXAMINER
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BURCH, MELODY M

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/517,434

Applicant(s)

RASTEGAR ET AL.

Examiner

Melody M. Burch

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-27,29-39,41,46,47 and 49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39,41,46,47 and 49 is/are allowed.
- 6) ☒ Claim(s) 1,4-27 and 29-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/2/03 has been entered.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation of one of the first or second parallelogram sub-linkages being only fixed to the payload or a portion thereof as first claimed in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. See 112 Rejections below for details.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 27 and 29-38 are objected to because of the following informalities:

- The phrase "at least second parallelogram linkages" first claimed in line 5 of claim 27 is inconsistent with the initial recitation of "at least a second

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parallelogram linkage" claimed in line 4 of claim 27. Examiner recommends amending the claim language such that the initial recitation reads --at least one second parallelogram linkage-- and the recitations that follow read --the at least one second parallelogram linkage--. A similar problem exists in claim 36.

Appropriate correction is required. The remaining claims are objected to due to their dependency from one of claims 27 and 36.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 4-27, and 29-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re: claims 1, 27, and 36. The phrases "one of the first or second parallelogram sub-linkages being only fixed to the payload or a portion thereof" and "the other of the first or second parallelogram sub-linkages being only fixed to the base structure or a portion thereof" first recited in claim 1 are incorrect. Examiner notes that element 103 shown in figure 1 of the instant application represents the first parallelogram sub-linkage. Element 103 comprises elements 105 and 107. As illustrated in figure 1 elements 105 and 107 of the first parallelogram sub-linkage 103 are not only fixed to the payload 101 by elements 109, but are also fixed to the base structure 102 by elements 106 and 109. Therefore, it is unclear to the Examiner how the first parallelogram sub-

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linkage is only fixed to the payload or a portion thereof. A similar issue exists for the second parallelogram sub-linkage.

The remaining claims are indefinite due to their dependency from claims 1, 27, and 36.

### ***Allowable Subject Matter***

6. Claims 1, 27, and 36 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Tsukagoshi shows in figure 12 the elements of the first parallelogram sub-linkage (elements 22 and 24) being fixed to both the payload and the base structure as shown in the labeled figure 12 included in the response to arguments section of paper no. 16. Macpherson also shows the first parallelogram sub-linkage or element 68, for example, being fixed to both the payload and the base structure via intervening elements.

7. Claims 4-26, and 29-35, 37, and 38 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claims 39, 41, 46, 47, and 49 are allowed.

### ***Response to Arguments***

9. Applicant's arguments, see pgs. 10-11, filed 6/2/03, with respect to Leist et al. in view of Ganzer have been fully considered and are persuasive. The 103 rejections of claims 39, 41, 46, 47, and 49 have been withdrawn. Although Ganzer shows the limitation of a compressible material being an elastomeric extruded tubular element 6 having a tubular cavity running therein and being coiled with a space in a helical

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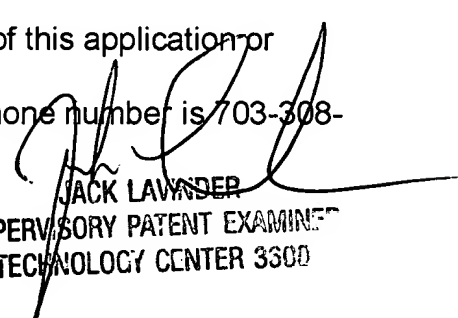
manner, Examiner agrees that one it would not have been obvious to one of ordinary skill in the payload isolation art to have modified arrangement of the unenclosed, thin flexure leaves which are disclosed as being preferably "made of a rigid material" (see col. 5 lines 5-6) of Leist et al. to have included an arrangement in the form of an elastomeric tubular member, as taught by Ganser, which is associated with a radially expandable and contractible mandrel.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melody M. Burch whose telephone number is 703-306-4618. The examiner can normally be reached on Monday-Friday (7:30 AM-4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
JACK LAVINDER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3300

mmb 6/30/03  
mmb  
June 30, 2003